

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

DAVID ALLEN HAVERKAMP, ALSO  
KNOWN AS BOBBIE LEE  
HAVERKAMP,

*Plaintiff,*

v.

LANNETTE LINTHICUM, ET AL.,

*Defendants.*

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CIVIL ACTION 2:17-cv-00018

**PLAINTIFF’S OPPOSITION TO DEFENDANTS’ MOTION TO STAY**

Plaintiff Bobbie Lee Haverkamp files this Opposition to Defendants’ Motion to Stay All Proceedings. (Dkt. No. 337).

No stay of the proceedings is necessary because all discovery and expert work have concluded. Discovery closed on October 6. Defendants also filed a motion for summary judgment and a motion incorrectly styled as a Rule 12(c) motion on October 6. Plaintiff will respond on November 6. Docket Call is set for November 14, 2023, and no trial date has been set.

Defendants cannot demonstrate good cause to stay the proceedings. The only matters left resolve are Defendants’ summary judgment and Rule 12(c) motions. Pursuant to this Court’s Procedures, the Court will hear argument on those motions at the November 14 Docket Call and discuss trial and pretrial settings at that time.

Plaintiff stands ready to try this case at a date determined by the Court. But no stay is necessary because no additional deadlines exist other than the November 14 Docket Call. Defendants have not and cannot establish “good cause” or that any “undue burden or expense” would result absent a stay. Accordingly, the request for stay should be denied.

Date: November 1, 2023

Respectfully submitted,

/s/ Ace M. Factor

Ace M. Factor

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CERTIFICATE OF WORD COUNT

Pursuant to Court Procedure 16(c), I certify that this opposition contains 188 words.

/s/ Ace M. Factor

Ace M. Factor

CERTIFICATE OF SERVICE

I certify that on November 1, 2023, a true and correct copy of this document properly was served on counsel of record via electronic filing in accordance with the Southern District of Texas Procedures for Electronic filing.

/s/ Ace M. Factor

Ace M. Factor